

### **REMARKS**

Claims 1-9 are pending in the above-identified application. Support for new claims 2-9 is found on pages 6-8 of the present specification. It is additionally noted that the specification was amended at page 7 lines 10-11 in order to correct a typographical error which is evident from a review of the context of the relevant paragraph on page 7. It is requested that all of these amendments to the specification and claims be entered of record and fully considered by the Patent Examiner.

#### **Issues under 35 USC 103(a)**

Claim 1 has been rejected under 35 USC 103(a) as being unpatentable over Suzuki '929 (USP 5,647,929) in view of Mirtain '930 (USP 3,509,930). This rejection is traversed for the following reasons.

#### **Present Invention**

The tyre of the present invention has an overlapping portion with a height h1 set to be 50% or more of a height H of the first ply. Accordingly, the overlapping portion overlaps with the belt ply. Near the shoulders of the tyre of the present invention, two layers of the first ply overlap with one layer of the second ply which overlaps with one layer of the belt ply, such that there are four overlapping layers at this position in the tyre. Because the tyre of the present invention does not have a second ply in the crown portion, the stiffness of the tread portion is restrained. Further, the stiffness of the shoulders and sidewall is enhanced by the overlapping four layers in the tyre noted immediately above. Consequently, the tyre of the present invention achieves both advantageous ride comfort and cornering performance properties as evidenced by the comparative test results summarized in Table 1 at page 16 of the present specification, for example.

Distinctions between Present Invention and References

Suzuki '929 fails to disclose a height  $h1$  which is 50% or more of a height  $H$  as in the tyre of the present invention. Note that Suzuki '929 discloses in Figures 1-3 an overlapping portion which fails to overlap with the belt ply, in contrast to the tyre of the present invention. Therefore, Suzuki '929 fails to recognize the advantages achieved by the present invention as noted above and as evidenced by the comparative test results provided in the present application. Thus, significant patentable distinctions exist between the present invention and Suzuki '929. In addition, even if Suzuki '929 is asserted as a basis for *prima facie* obviousness, such obviousness has been rebutted by the comparative test results described above. Therefore, it is requested that this basis for the above-noted rejection be withdrawn.

In addition to the above, it is submitted that Mirtain '930 is farther removed from the present invention than Suzuki '929, such that the above-distinctions also apply to Mirtain '930. Consequently, it is requested that the rejection based on Mirtain '930 be also be withdrawn.

It is submitted for the reasons above that the present claims define patentable subject matter such that this application should now be placed in condition for allowance.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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